

JONES DAY

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October 11, 2013

BY E-MAIL AND ECF

The Hon. Paul A. Crotty
Daniel Patrick Moynihan United States Courthouse
500 Pearl St.
New York, New York 10007-1312

Re: New York Progress and Protection PAC v. Walsh, No. 13 CV 6769

Dear Judge Crotty:

We represent Plaintiff New York Progress and Protection PAC (“NYPPP”) in this matter. We write to respectfully request any guidance that the Court can provide regarding the timing of its decision on NYPPP’s motion for preliminary injunction, which was orally argued to the Court on October 8.

If the Court grants the injunction, it is critical that an order be issued as soon as practicable, so that the asserted First Amendment rights to speak in the 2013 mayoral contest can be exercised meaningfully before the election takes place. After the upcoming holiday weekend, only three weeks will remain until election day.

If the Court has reached a decision to grant the injunction and is in the course of preparing an opinion, the Court might enter the order today, with the opinion to follow. If, on the other hand, the injunction is denied, NYPPP will file an immediate appeal and an emergency motion for an expedited schedule in the Court of Appeals. We plan to contact the Clerk of the Court of Appeals this afternoon regarding the procedure for presenting such an emergency motion to a judge later today or over the holiday weekend if necessary. We believe that it would be helpful for us to advise the Clerk, if possible, when a decision might be issued so that, if possible, appellate briefing may be initiated before the holiday so as to prevent the loss of a critical three days.

We thank the Court for its consideration.

Respectfully submitted,



Todd R. Geremia

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cc: Richard Dearing, New York Attorney General's Office
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